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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Perricaudet, et al.

Group Art Unit: 1804

Serial No.: 08/397,225

Examiner: A. Milne

International Filing Date: 08 July 1994

For: DEFECTIVE ADENOVIRUS VECTORS AND USE THEREOF IN GENE
THERAPYTo: The Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 23 December 1996Julie K. Smith

Type or print name of person mailing paper

J. K. Smith
Signature of person mailing paper**RESPONSE AND AMENDMENT UNDER****37 CFR §§ 1.111 and 1.115**

This paper responds to the Office Action mailed 22 July 1996. Applicants submit herewith a petition for a two month extension of time, extending the period for response to the Office Action to 22 December 1996.

Applicants respectfully request reconsideration and withdrawal of the outstanding rejection in view of the remarks presented below.

AMENDMENT

Please amend the application as follows:

In the Claims:

Please amend claims 1, 31, 34, and 35 as follows:

1. (Twice Amended) A defective recombinant adenovirus comprising[;
- [the ITR sequences,
 - [an encapsulation sequence, and
 - [a heterologous DNA sequence,

wherein the E1 gene has been rendered non-functional by deletion, and wherein the E2 or E4 genes have been rendered non-functional by deletion.

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